

REMARKS

1. Summary of the Office Action

Claims 1, 3-8, 18, 19, 21, 30 and 31 stand rejected under § 102(b) as allegedly being anticipated by WO 95/17711 (hereinafter “Boulton”).

2. Response to § 102 Rejections

Applicants respectfully traverse this rejection for the reasons set out below, and ask the Examiner for reconsideration.

To anticipate a claim, the reference must teach every element of the claim. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

a. BOULTON DOES NOT TEACH EVERY ELEMENT OF CLAIM 1

Claim 1, as amended, includes the following limitations:

A method of harvesting feedback pertaining to transactions facilitated by a network-based transaction facility, the method including:

identifying a plurality of transactions associated with a first user, the plurality of transactions comprising completed transactions, facilitated by the network-based transaction facility, in which the first user participated with at least one other user;

communicating user interface information from the network-based transaction facility to a client associated with the first user via a communications network, the user interface information including transaction information concerning at least first and second transactions of the plurality of transactions associated with the first user and specifying a

single feedback interface facilitating user input of feedback information for each of the at least first and second transactions of the plurality of transactions; and

receiving, at the network-based transaction facility, the feedback information provided by the first user through the single feedback interface, for each of at least the first and second transactions, the feedback information being received via the communications network.

(emphasis added)

Boulton's purpose is to directly provide a supplier of a product or service, and not a network-based transaction facility, with useful feedback so the supplier can better their product or service (See Boulton, Pages 1 and 2). This is accomplished by providing an interface for a user, and ideally multiple users of a product or service, to send feedback directly to the supplier of that product or service regarding the quality etc. of their product or service (Page 10, lines 1-4). In other words, multiple users utilize a network to supply direct feedback to providers of service or manufacturers of products (reviewers) regarding their (reviewer's) service or product (See page 12, lines 26-29). The reviewer then may sort these feedback records at the reviewer's network location according to the reviewer's preferences, criteria, and/or needs (See page 12, lines 33-38, and page 13, lines 1-7). The feedback is not provided to a network-based transaction facility in which transactions have been facilitated.

In contrast, claim 1 presently recites identifying a plurality of transactions associated with a first user, the plurality of transactions comprising completed transactions facilitated by the network-based transaction facility in which the first user participated with at least one other user and communicating user interface information from the network-based transaction facility to a client associated with the first user via a communications network, the user interface information including transaction

information concerning at least first and second transactions of the plurality of transactions associated with the first user, and specifically receiving the feedback information at the network-based transaction facility provided by the first user through the single interface.

Because Boulton only discloses the feedback interface as being provided directly by the provider of the product or service and the feedback is directly with the provider of the product or service, Boulton does not teach or suggest receiving the feedback information at the network-based transaction facility, provided by the first user through the single feedback interface, for each of at least the first and second transactions (i.e., multiple transactions), as recited in claim 1.

Because independent claims 18, 30, and 31 have substantially similar limitations as claim 1, the same arguments that apply to claim 1 also apply to these claims. Therefore, for at least the reasons stated above, independent claims 1, 18, 30 and 31 are patentable over the cited art.

As a dependent claim is deemed to include the limitations of a claim from which it depends, the arguments presented above also address the rejections against the dependent claims, if any, associated with each of the independent claims 1, 18, 30, and 31. Accordingly, the rejections against the dependent claims have been addressed, and withdrawal of these rejections is respectfully requested.

3. Conclusion

Having tendered the above remarks and amended the claims as indicated herein, Applicants respectfully submit that all rejections have been addressed and that the claims are now in a condition for allowance, which is earnestly solicited.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicants hereby request such an extension.

Respectfully submitted,
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Dated: 05/19/, 2004


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